

MYREE D. RUPRACHT, Individually and as
Trustee of the ROBERT AND MYREE
RUPRACHT FAMILY TRUST

Plaintiff,

vs.

UNION SECURITY INSURANCE CO. et al.,

Defendants.

ORDER

Plaintiff asks the Court to lift the stay because Armitage failed to participate in arbitration, filed for Chapter 7 bankruptcy, and is incarcerated in California pending a criminal trial for fraud. Union Security does not oppose Plaintiff's motion and has filed its own motion for leave to refile its motion to dismiss because the pleading standards have changed in the meantime. The Court grants both motions.

CONCLUSION


IT IS HEREBY ORDERED that the Motion to Lift Stay (ECF No. 40) is GRANTED.

IT IS FURTHER ORDERED that the Motion to Refile (ECF No. 42) is GRANTED.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 4) and the Motion to Strike (ECF No. 30) are DENIED as moot.

IT IS SO ORDERED.

Dated: **This 14th day of April, 2011.**



ROBERT C. JONES
United States District Judge